

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

CASE NO. 3:16cr316-2

UNITED STATES OF AMERICA

V.

CEDRIC CLARK

ORDER

THIS MATTER is before the Clerk due to his fiduciary duty to disburse restitution payments in accordance with the Judgments of this Court. The “Amended Judgment” [Doc. 168] in this case was entered August 8, 2018, directing that restitution be paid out in accordance with the Court’s “Order” [Doc. 167] of final restitution.

The Financial Department of this Court has over \$41,000.00 on hand to disburse to the victims in this case. Payment has been delayed to the victims in the Clark case due to Mr. Clark mistakenly being required to pay joint and several restitutions in another case, United States v. Ms. Paris Taylor, 3:17-cr-215-4. When defendants are named as jointly and severally liable in different cases for the purpose of restitution, payments are not made to victims until restitution payees

have been fully identified in all cases. The identification of the victims in the Taylor case has been significantly delayed, thus holding up the payments in the Clark case. The Clerk has been waiting almost two years, since July 11, 2018, when the “Judgment” [Doc. 146 3:17-cr-215-4] in the Taylor case stated that restitution was “To Be Determined.” The Clerk has made numerous requests to the Government to provide the list of victims in the Taylor case so that the victims in the Cedric Clark case could be paid, but to date has not been provided with the list of victims in the Taylor case.

The parties agree that Mr. Clark should not have been directed to pay joint and several restitutions in the Taylor case. Parties’ agreement that Mr. Clark should not be included in the joint and several restitution order in Ms. Taylor’s case is found in the Government’s “Motion to Amend Judgment to Correct Clerical Error” [Doc. 158 3:17-cr-215-4].

Ms. Taylor herself wrote to the Court on June 1, 2020, stating that Mr. Clark had no association with her case and further inquiring as to why Mr. Clark was noted as owing joint and several restitutions in her case [Doc. 160 3:17-cr-215-4].

Accordingly, the Clerk's Financial Department is ORDERED to proceed to remit all restitution payments in the United States v. Cedric Clark case, number 3:16-cr-316-2 without further delay.

So ORDERED, this 17th day of June 2020. This "Order" is to be served on the Financial Department of this Court.

Frank G. Johns, Clerk

A handwritten signature in cursive script, reading "Frank G. Johns". The signature is written in black ink and is positioned below the printed name of the Clerk.